

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ARNOLD SEGAL,

Plaintiff,

v.

KATHLEEN SEBELIUS,
SECRETARY OF HEALTH AND HUMAN
SERVICES,

Defendant

CIVIL ACTION

NO. 10-716

FILED

JUL 11 2011

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 11th day of July, 2011, upon
consideration of Plaintiff's Motion for Summary Judgment,
Defendant's Response thereto, and after careful review of the
Report and Recommendation of United States Magistrate Judge
Arnold C. Rapoport, IT IS ORDERED that:

1. the Report and Recommendation is APPROVED and
ADOPTED; and
2. Plaintiff's Motion for Summary Judgment is DENIED.
3. Defendant's Response is CONSTRUED as a cross-motion
for summary judgment.
4. Defendant's Cross-Motion for Summary Judgment is
GRANTED.
5. Judgment is ENTERED in favor of Defendant Kathleen
Sebelius, Secretary of the United States Department of Health and
Human Services and against Plaintiff Arnold Segal.

BY THE COURT:



Petrese Tucker, J.

7-11-11
emailed:
V. Parker
M. Hutchinson
A. Segal